United Nations S/AC.43/2006/2

Security Council

Distr.: General
28 August 2006

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 22 August 2006 from the Permanent Mission of Ukraine to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Ukraine presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and, in addition to its note verbale dated 6 May 2004 (S/AC.43/2004/2) and with reference to paragraph 20 of Security Council resolution 1596 (2005), has the honour to communicate the following.

On 12 July 2006 the Cabinet of Ministers of Ukraine adopted Decree No. 963 on implementation of the resolutions of the Security Council of the United Nations concerning the Democratic Republic of the Congo. This decree brings Ukrainian legislation into line with the measures imposed by the Security Council with regard to the situation in the Democratic Republic of the Congo and regulates their strict implementation by the relevant authorities in Ukraine.

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Security Council

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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Letter dated 5 October 2006 from the Permanent Representative of Argentina to the United Nations addressed to the Chairman of the Committee

I have the honour to enclose herewith a copy of the decree whereby the Government of Argentina implemented the measures of the sanctions regime imposed on the Democratic Republic of the Congo (see annex).

(*Signed*) César **Mayoral**
Ambassador
Permanent Representative

06-56082 (E) 171006 181006

Annex to the letter dated 5 October 2006 from the Permanent Representative of Argentina to the United Nations addressed to the Chairman of the Committee

Having regard to the provisions of decrees No. 1521 of 1 November 2004 and No. 247 of 1 March 2004 and the decisions of the United Nations Security Council in resolutions 1533 (2004), 1552 (2004), 1596 (2005), 1616 (2005) and 1649 (2005) concerning the sanctions regime imposed on the Democratic Republic of the Congo, and

Whereas:

Decree No. 1521/2004 stipulates that resolutions of the Security Council adopted under Chapter VII of the Charter of the United Nations which establish binding measures for Member States that do not involve the use of armed force but entail sanctions, as well as decisions regarding the amendment or termination thereof, shall be promulgated by the Ministry of Foreign Affairs, International Trade and Worship by means of resolutions published in the Official Gazette;

Decree No. 247/2004 promulgated the measures adopted by the Security Council in resolution 1493 (2003), paragraph 20, whereby all States shall take the necessary measures to prevent the supply, sale or transfer of arms and any related materiel to all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and of Ituri in the Democratic Republic of the Congo and to groups not party to the Global and All-Inclusive Agreement;

By paragraph 21 of the same resolution, the Security Council established exceptions to the measures imposed by paragraph 20;

In resolution 1533 (2004), paragraph 8, the Security Council decided to establish a Committee responsible for, inter alia, collecting information from all States regarding the actions taken by them to implement effectively the measures imposed by paragraph 20 of resolution 1493 (2003) and to consider the lists of persons found to have violated the measures concerned;

The Security Council, in resolution 1552 (2004), renewed the provisions of paragraphs 20 to 22 of resolution 1493 (2003) and all the provisions of resolution 1533 (2004);

In resolution 1596 (2005), paragraph 1, the Security Council once again reaffirmed the measures established by paragraph 20 of resolution 1493 (2003) and decided that, from then on, they would apply to any recipient in the Democratic Republic of the Congo;

In paragraph 13 of resolution 1596 (2005), the Security Council decided that all States should take the necessary measures to prevent the entry into or transit through their territories of persons designated by the Committee as acting in violation of the measures taken by Member States in accordance with paragraph 1;

In resolution 1596 (2005), paragraph 15, the Security Council decided that States should immediately freeze the funds, other financial assets and economic resources in their territories which were owned or controlled, directly or indirectly, by persons designated by the Committee pursuant to paragraph 13, and that all States should ensure that no funds, financial assets or economic resources were made available by their nationals to such persons;

In paragraph 16 of the same resolution the Security Council established exceptions to the measures laid down in paragraph 15;

The Security Council, in resolution 1616 (2005), renewed the provisions of paragraphs 20 to 22 of resolution 1493 (2003), as amended and expanded by paragraph 1 of resolution 1596 (2005), and reaffirmed paragraphs 2, 6, 10 and 13 to 16 of resolution 1596 (2005);

In its resolution 1649 (2005), paragraph 2, the Security Council determined which individuals would be subject to the provisions of paragraphs 13 to 16, for a period expiring on 31 July 2006;

In resolution 1649 (2005), paragraph 3, the Security Council stipulated the cases in which the measures imposed under paragraphs 2 and 13 of resolution 1596 (2005) would not apply;

In resolution 1649 (2005), paragraph 6, the Security Council decided that the provisions of paragraphs 2 to 5 would enter into force on 15 January 2006;

It is necessary to promulgate the extensions and expansions of the sanctions regime against the Democratic Republic of the Congo established by the United Nations Security Council in resolutions 1533 (2004), 1552 (2004), 1596 (2005), 1616 (2005) and 1649 (2005);

At the proposal of the Directorate for International Organizations, the appropriate action has been taken by the Ministry of Foreign Affairs, the Office of the Under-Secretary for Foreign Policy, the Directorate for Legal Affairs, the Directorate for Sub-Saharan Africa, the Directorate for International Security and Nuclear and Space-based Weapons and the Directorate-General for Consular Matters of this Ministry;

Now therefore,

The Minister for Foreign Affairs, International Trade and Worship

Resolves:

Article 1: In conformity with decree No. 1521 of 1 November 2004, the measures adopted by the United Nations Security Council under resolutions 1533 (2004), 1552 (2004), 1596 (2005), 1616 (2005) and 1649 (2005) in relation to the sanctions regime applicable to the Democratic Republic of the Congo, which, as annex 1, shall form an integral part of this Decree, are hereby promulgated;

Article 2: The Ministry of Foreign Affairs, International Trade and Worship shall promulgate, by means of resolutions published in the Official Gazette, the lists of individuals and entities designated by the United Nations Security Council Committee established by paragraph 8 of resolution 1533 (2004);

Article 3: This Decree shall be notified, published and transmitted to the National Official Registry and placed in the archives.

Decree No. 1182

Buenos Aires, 26 June 2006